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August 17, 2007

David Weiss  
CRS Contract Manager  
Deaf and Disabled Telecommunication Program  
505 14<sup>th</sup> Street, Suite 400  
Oakland, CA 94612

RE: Application for Renewal, FCC Certification for Telecommunication Relay Services (TRS)

Dear David,

Accompanying this letter is a document, intended to assist the CPUC in filing its renewal application for FCC Certification for California Relay Service ("CRS"), that describes how MCI Communications Services, Inc d/b/a Verizon Business Services (therein referred to as "Verizon") meets or exceeds all of the mandatory minimum operational, technical, and functional standards prescribed by the FCC in providing CRS.

Please let me know if you have any questions or if I might be of additional assistance.

Thank you.

Sincerely,

Randy Sergeant  
State TRS Account Manager

**FCC RECERTIFICATION  
APPLICATION**

**CALIFORNIA RELAY SERVICE**

**Verizon, 2007**

## Checklist of FCC Minimum Standards

FCC Minimum Standard (§64.604)	Meets	Exceeds
(a) Operational Standards		
(1) Communications assistants		X
(2) Confidentiality and conversation content	X	
(3) Types of calls		X
(4) Handling of emergency calls		X
(5) STS called numbers		X
(b) Technical Standards		
(1) ASCII and Baudot	X	
(2) Speed of Answer		X
(3) Equal access to interexchange carriers	X	
(4) TRS facilities	X	
(5) Technology	X	
(6) Caller ID	X	
(c) Functional Standards		
(1) Consumer complaint logs	X	
(2) Contact persons	X	
(3) Public access to information	X	
(4) Rates	X	
(5) Jurisdictional separation of costs	X	
(6) Complaints	X	
(7) Treatment of TRS customer information	X	

## §64.604 Mandatory Minimum Standards; Verizon's approach

### **(a) Operational Standards**

#### **(1) Communication Assistant ("CA") Competencies**

Verizon believes that the CA, as the primary contact between Verizon's relay service and its users, is one of the most important components of relay service. Because of the critical nature of this role, Verizon has established and adheres to rigorous standards in the hiring, training, and retention of CAs.

- (i) TRS providers are responsible for requiring that all CAs be sufficiently trained to effectively meet the specialized communications needs of individuals with hearing and speech disabilities.**

Verizon's CRS Relay Operator ("RO") training curriculum covers all aspects of relay communication and incorporates extensive Deaf Awareness and Deaf culture training, TTY usage, confidentiality, ethics, emergency call handling and relay etiquette. Verizon exceeds this requirement in that training is also provided to supervisory and customer service personnel. CRS STS calls are handled by a separate group of CAs whose training, in addition to that described above, includes familiarization with the various speech patterns of people who have a speech disability.

- (ii) CAs must have competent skills in grammar, spelling, interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. CAs must possess clear and articulate voice communications.**

Verizon's CRS RO applicants are initially screened to ensure that they possess competent skills in typing, grammar and spelling, and that they can clearly and articulately communicate by voice. Once hired, they must successfully complete an extensive training program and demonstrate competency in interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette prior to handling CRS calls. Verizon exceeds this requirement in that STS CAs are screened using pure tone audiometric tests and must achieve a hearing acuity of 20dB or less in each ear at 250 Hz, 500 Hz, 1000 Hz, 2000 Hz and 4000 Hz. Audiometric tests are administered to STS CAs before placement and at least once annually. Additionally, if it is suspected, either by means of customer feedback, call monitoring, or Quality Monitoring, that a STS CA's hearing or speech discrimination ability has diminished, the CA will be removed from STS call handling assignments until a hearing acuity test can be administered. In addition to the above, all ROs and STS CAs handling calls in Spanish must demonstrate skills in Spanish grammar and spelling at a minimum of a 12<sup>th</sup> grade level.

- (iii) CAs must provide a typing proficiency of a minimum of 60 words per minute. Technological aids may be used to reach the required typing speed. Providers must five oral-to-type tests of CA speed.**

Verizon's CRS RO applicants must demonstrate a minimum typing speed of 60 words per minute using an oral-to-type test prior to receiving an offer of employment. Verizon exceeds this requirement in that RO typing speed is tested again at 3 months of hire, and annually thereafter to ensure continued compliance with the 60 words per minute requirement. Verizon exceeds this requirement in that it does not incorporate technological aids in testing RO typing speed.

- (iv) TRS providers are responsible for requiring that VRS CAs are qualified interpreters. A "qualified interpreter" is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.**

The CRS scope of service does not currently include VRS. In providing VRS as a separate product from CRS, however, all of Verizon's VRS interpreters possess national interpreter certification as a means of demonstrating their ability to interpret effectively, both receptively and expressively.

- (v) *CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of ten minutes. CAs answering and placing an STS call must stay with the call for a minimum of fifteen minutes.*

Verizon's CRS ROs make every effort to remain on a call for the duration of the call. Should there be a need to change ROs, however, the change will not take place until the original RO has been on the call for a minimum of ten minutes for CRS calls and a minimum of fifteen minutes for STS calls.

- (vi) **TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if transfer occurs, at the time the call is transferred to another CA.**

Verizon, to the extent possible, accommodates CRS users' preference for RO and STS CA gender at the beginning of the call. And if there is a change of RO or STS CA, to the extent possible, the relieving RO or STS CA is of the preferred gender.

- (vii) *TRS shall transmit conversations between TTY and voice callers in real time.*

Verizon's CRS ROs relay conversations between TTY and voice callers in real time.

**(2) Confidentiality and conversation content.**

- (i) *Except as authorized by section 705 of the Communications Act, 47 U.S.C. 605, CAs are prohibited from disclosing the content of any relayed conversation regardless of content, and with a limited exception for STS CAs, from keeping records of the content of any conversation beyond the duration of a call, even if to do so would be inconsistent with state or local law. STS CAs may retain information from a particular call in order to facilitate the completion of consecutive calls, at the request of the user. The caller may request the STS CA to retain such information, or the CA may ask the caller if he wants the CA to repeat the same information during subsequent calls. The CA may retain the information only for as long as it takes to complete the subsequent calls.*

Verizon believes that confidentiality is of paramount importance in relaying calls. Verizon has defined and adheres to strict confidentiality guidelines. All relay personnel must sign a Pledge of Confidentiality to ensure understanding, and must review and sign this Pledge annually. The Pledge binds personnel to maintain confidentiality during employment as well as after termination of employment. Only persons who have signed a Pledge are allowed into the production area of a Verizon relay center, and observing or listening to actual calls by anyone other than the CA handling the call is prohibited except for training or quality assurance purposes. If a Supervisor or an RO/STS CA has questions or concerns they will converse in such a manner as to maintain confidentiality. In addition to extensive initial and ongoing training related to confidentiality, reminders are posted throughout the relay call center. All allegations of confidentiality breach are immediately and thoroughly investigated, and the individual against whom an allegation is lodged is immediately placed on administrative leave during the course of the investigation. Any individual who, after investigation, is found to have violated customer confidentiality is terminated, and is not allowed to work in a Verizon relay center again. No records of call content are kept after call termination with the exception of information retained by request of an STS user to assist in subsequent calls, but only for the duration of those subsequent calls. All conversation content and call information is automatically and permanently erased from the console screen upon termination of the call. Consoles do not have the ability to store call data or text after the call is terminated.

- (ii) *CAs are prohibited from intentionally altering a relayed conversation and, to the extent that it is not inconsistent with federal, state, or local law regarding use of telephone company facilities for illegal purposes, must relay all conversation verbatim unless the relay user specifically requests summarization, or if the user requests interpretation of an ASL call. An STS Ca may facilitate the call of an STS user with a speech disability so long as the CA does not interfere with the independence of the user, the user maintains control of the conversation, and the*

***user does not object. Appropriate measures must be taken by relay providers to ensure that confidentiality of VRS users is maintained.***

Verizon's ROs and STS CAs are prohibited from intentionally altering a relayed conversation and, to the extent it is not inconsistent with federal, state or local law regarding use of telephone facilities for illegal purposes, ROs relay the entire conversation verbatim unless the caller specifically requests interpretation of a call to ASL or summarization of call content. CA STS CAs facilitate the call of an STS user unless requested otherwise, without interfering with the independence of the STS user, and enabling the caller to maintain control of the conversation.

**(3) Types of calls.**

- (i) Consistent with the obligations of telecommunications carrier operators, CAs are prohibited from refusing single or sequential calls or limiting the length of calls utilizing relay services.**

Verizon's ROs and STS CAs are prohibited from refusing to place single or sequential calls or call attempts, and from limiting the length of calls placed by relay users.

- (ii) Relay services shall be capable of handling any type of call normally provided by telecommunications carriers unless the Commission determines that it is not technologically feasible to do so. Relay service providers have the burden of proving the infeasibility of handling any type of call.***

Verizon's CRS platform is capable of handling any type of call normally provided by common carriers, including calls with terminations that are local, intraLATA, intrastate interLATA, Interstate, International, and to directory assistance, toll-free, and 900 numbers. Billing options include bill to ANI, Carrier of Choice, collect, third-party, and authorized credit card.

- (iii) Relay service providers are permitted to decline to complete a call because credit authorization is denied.***

Where a caller wishes to place a call using a credit card and credit is denied, the Verizon's ROs and STS CAs will inform the caller of this situation and solicit from the caller an alternate method of billing the call.

- (iv) Relay services should be capable of handling pay-per-call calls.***

Verizon's relay platform supports outgoing calls to pay-per-call calls. Verizon provides a toll-free 900-access number into the relay center to enable callers to access these services. Verizon's system is designed to ensure that the caller is billed for any charges incurred on outgoing calls to pay-per-call numbers. Using a 900-access number provides the caller with an additional safety measure in that it preserves the 900 blocking capabilities the caller may have requested through their LEC.

- (v) TRS providers are required to provide the following types of TRS calls: (1) text-to-voice and voice-to-text; (2) VCO, two-line VCO, VCO to TTY, and VCO-to-VCO; (3) HCO, two-line HCO, HCO-to-TTY, and HCO-to-HCO.***

Verizon complies. In addition, all of these call modalities are available to Spanish-language callers.

- (vi) TRS providers are required to provide the following features (1) Call release functionality; (2) Speed dialing functionality; and (3) three-way calling functionality.***

Verizon complies. Further, Verizon's CRS platform allows callers to store up to 99 names and numbers in their speed dial profile, and allows for operator-initiated three-way calling.

- (vii) Voice mail and interactive menus. CAs must alert the TRS user of the presence of a recorded message and interactive menu through a hot key on the CA's terminal. The hot key will send text from the CA to the consumer's TTY indicating that a recording or interactive menu has been encountered. Relay providers shall electronically capture recorded messages and retain them for the length of the call. Relay providers may not impose any charges for additional calls, which must***

***be made by the relay user in order to complete calls involving recorded or interactive messages.***

Verizon's relay platform allowed the CA to record and respond to recorded messages and interactive menus. Callers are alerted to the presence of a recorded message or interactive menu by the CA through the use of a hot key. The capture-recording feature plays the message back to the CA at a variable rate that is under the CA's control. The captured announcements or messages are not retained beyond the duration of the incoming call. If charges are applicable, the caller is charged for only one call, regardless of the number of calls that may be required to completely convey or retrieve a message.

***(viii) TRS providers shall provide, as TRS features, answering machine and voice mail retrieval.***

Verizon provides answering machine and voice mail message retrieval as a standard feature.

- (4) Handling of emergency calls. Providers must use a system for incoming emergency calls that, at a minimum automatically and immediately transfers the caller to an appropriate Public Safety Answering Point (PSAP). An appropriate PSAP is either a PSAP that the caller would have reached if he had dialed 911 directly, or a PSAP that is capable of enabling the dispatch of emergency services to the caller in an expeditious manner.**

Verizon complies. Verizon's CRS platform automatically identifies the caller's PSAP by cross-referencing the caller's ANI with the associated PSAP contained in the emergency database. The emergency database is updated on a continuous basis, and is one of the most comprehensive and up-to-date emergency databases in use today. When an emergency call request is originated from a cell phone the caller is prompted to provide a physical location. The system then looks up and dials out the associated PSAP number as opposed to calling the PSAP location associated with the delivered ANI. When the CA initiates the emergency dialing feature the console is automatically placed in a "busy" or stand-by" mode while the outgoing call is being placed to the PSAP. This process retains the caller's ANI should the caller hang up before connecting to the PSAP and prevents the console from being available for an incoming call, which would erase the caller's ANI.

- (5) Relay providers must offer STS users the option to maintain at the relay center a list of names and telephone numbers which the STS user calls. When the STS user requests one of these names, the CA must repeat the name and state the telephone number to the STS user. This information must be transferred to any new STS provider.***

Verizon's STS callers can expedite their calls by providing the STS CA with the name of the desired called person. In addition, STS users can, at their option, include their names in an STS Directory so that "speech able" callers can request an outgoing call to the STS user by giving the STS CA the STS user's name. Further, STS users can access their Speed Dial list when away from their profiled ANI by using a pre-registered pass code.

**(b) Technical Standards**

- (1) ASCII and Baudot. TRS shall be capable of communicating with ASCII and Baudot format, at any speed generally in use.**

Verizon's relay platform is capable of receiving and transmitting in ASCII and Baudot format at speeds that are generally in use.

- (2) Speed of answer.***

- (i) TRS providers shall ensure adequate TRS facility staffing to provide callers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.***

- (ii) *TRS facilities shall, except during network failure, answer 85% of all calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold. The ten seconds begins at the time the call is delivered to the TRS facility's network. A TRS facility shall ensure that adequate network facilities shall be used in conjunction with TRS so that under projected calling volume the probability of a busy response due to loop trunk congestion shall be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.*
- (A) *The call is considered delivered when the TRS facility's equipment accepts the call from the local exchange carrier (LEC) and the public switched network actually delivers the call to the TRS facility.*
- (B) *Abandoned calls shall be included in the speed-of-answer calculation.*
- (C) *A TRS provider's compliance with this rule shall be measured on a daily basis.*
- (D) *The system shall be designed to a P.01 standard.*
- (E) *A LEC shall provide the call attempt rates and the rates of calls blocked between the LEC and the TRS facility to relay administrators and TRS providers upon request.*

Verizon monitors relay call traffic at a minimum of every 30 minutes. On each half-hour, switching equipment generates a summary of call handling data for the previous 30 minute period which is used to develop projections for agent staffing based on time of day and day of week to ensure adequate staffing to answer a minimum of 85% of calls within 10 seconds. ASA is measured from the time a call reaches the Verizon switch and continues until the call is answered by an RO or STS CA who is ready to begin processing an outgoing call, and daily ASA includes abandoned calls. Verizon's switched network is designed for an overall network availability objective of 99.6 percent or better. Individual network switches, including those responsible for network call distribution, are designed to meet availability objectives of at least 99.99 percent to minimize the probability of a busy response due to loop trunk congestion. Call blocking data is provided in Exhibit 1, and answer speed data is provided in Exhibit 2. As illustrated, Verizon consistently exceeds this requirement.

- (iii) *Speed of answer requirements for VRS providers are phased-in as follows. answer requirements for VRS providers are phased-in as follows: by January 1, 2006, VRS providers must answer 80% of all calls within 180 seconds, measured on a monthly basis; by July 1, 2006, VRS providers must answer 80% of all calls within 150 seconds, measured on a monthly basis; and by January 1, 2007, VRS providers must answer 80% of all calls within 120 seconds, measured on a monthly basis. Abandoned calls shall be included in the VRS speed of answer calculation.*

The CRS scope of service does not currently include VRS. In providing VRS as a separate product from CRS, however, Verizon complies with the VRS speed of answer requirement.

- (3) **Equal access to interexchange carriers.** TRS users shall have access to their chosen interexchange carrier through the TRS, and to all other operator services to the same extent that such access is provided to voice users.

Verizon's CRS platform allows callers access to their chosen Interexchange Carrier (IXC), to the extent that the IXC can be identified and is willing to participate in TRS, by routing those requests to a LEC tandem that has IXC trunking. At the LEC tandem the trunking is switched over to the designated IXC which is provided the Originating ANI, the Terminating ANI, Info Digits, and SS7 information including Caller ID. With that information the IXC is able to route and bill calls appropriately.

- (4) **TRS facilities.**

- (i) TRS shall operate every day, 24 hours a day. Relay services that are not mandated by this Commission need not be provided every day, 24 hours a day, except VRS.



- (ii) TRS shall have redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use.

Verizon operates CRS 24 hours per day, seven days per week. Verizon adheres to strict internal operating standards, frequent testing, and a highly fault-tolerant hierarchical switched network design that provides multiple routing choices for all switched calls. Verizon protects its relay center against power outages with an uninterruptible power supply (UPS), a battery system, and a back-up diesel generator.

- (5) Technology. No regulation set forth in this subpart is intended to discourage or impair the development of improved technology that fosters the availability of telecommunications to person with disabilities. TRS facilities are permitted to use SS7 technology or any other type of similar technology to enhance the functional equivalency and quality of TRS. TRS facilities that utilize SS7 technology shall be subject to the Calling Party Telephone Number rules set forth at 47 CFR 64.1600 et seq

Verizon understands and complies.

- (6) *Caller ID. When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: the number of the TRS facility, 711, or the 10-digit number of the calling party.*

Verizon's CRS platform incorporates SS7 technology and transmits the 10-digit number of the calling party to the public network, which is passed through to the calling party if the calling party subscribes to Caller ID services through their local telephone service provider.

(c) *Functional standards*

(1) *Consumer complaint logs.*

- (i) *States and interstate providers must maintain a log of consumer complaints including all complaints about TRS in the state, whether filed with the TRS provider or the State, and must retain the log until the next application for certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution.*
- (ii) *Beginning July 1, 2002, states and TRS providers shall submit summaries of logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year. Summaries of logs submitted to the Commission on July 1, 2001 shall indicate the number of complaints received from the date of OMB approval through May 31, 2001. The CPUC and Verizon/Verizon submit annual summaries of complaint logs indicating the number of complaints received for the 12-month period ending May 31 to the Commission by July 1 of each year.*

Verizon complies. Annual filings are available at the FCC.

- (2) *Contact persons. Beginning on June 30, 2000, State TRS Programs, interstate TRS providers, and TRS providers that have state contracts must submit to the Commission a contact person and/or office for TRS consumer information and complaints about a certified State TRS Program's provision of intrastate TRS, or, as appropriate, about the TRS provider's service. This submission must include, at a minimum, the following:*
  - (i) *The name and address of the office that receives complaints, grievances, inquiries, and suggestions;*
  - (ii) *Voice and TTY telephone numbers, fax number, e-mail address, and web address; and*
  - (iii) *The physical address to which correspondence should be sent.*

Verizon complies.

- (3) *Public access to information. Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in*

*telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible.*

The CRS toll-free access numbers and instructions for using CRS are available in telephone directories, and directory assistance services have the numbers available upon request. Verizon has a team of outreach and education staff who are strategically located in California. The outreach team initiates, conducts and participates in activities throughout the state focusing primarily on educating the general public and "non-traditional" or potential relay users, such as people who are hard of hearing, late deafened, elderly and speech disabled, about CRS and the availability of 711 access to the service. CRS and CA STS brochures describing the service and identifying access numbers and contact persons, are distributed at community events and placed in strategic locations throughout the state.

- (4) Rates. TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination*

Verizon complies with this requirement for interstate long distance calls carried by Verizon, and passes other billing records to the appropriate carrier for customer billing to ensure that CRS users pay rates no greater than those paid for functionally equivalent voice calls.

- (5) Jurisdictional separation of costs.*

- (i) General. Where appropriate, costs of providing TRS shall be separated in accordance with the jurisdictional separation procedures and standards set forth in the Commission's regulations adopted pursuant to section 410 of the Communications Act of 1934, as amended.*
- .(ii) Cost recovery. Costs caused by interstate TRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism. Except as noted in this paragraph, with respect to VRS, costs caused by intrastate TRS shall be recovered from the intrastate jurisdiction. In a state that has a certified program under §64.605, the state agency providing TRS shall, through the state's regulatory agency, permit a common carrier to recover costs incurred in providing TRS by a method consistent with the requirements of this section. Costs caused by the provision of interstate and intrastate VRS shall be recovered from all subscribers for every interstate service, utilizing a shared-funding cost recovery mechanism.*
- (iii) Telecommunications Relay Services Fund. Effective July 26, 1993, an Interstate Cost Recovery Plan, hereinafter referred to as the TRS Fund, shall be administered by an entity selected by the Commission (administrator). The initial administrator, for an interim period, will be the National Exchange Carrier Association, Inc.*
  - (A) Contributions. Every carrier providing interstate telecommunications services shall contribute to the TRS Fund on the basis of interstate end-user telecommunications revenues as described herein. Contributions shall be made by all carriers who provide interstate services, including, but not limited to, cellular telephone and paging, mobile radio, operator services, personal communications service (PCS), access (including subscriber line charges), alternative access and special access, packet-switched, WATS, 800, 900, message telephone service (MTS), private line, telex, telegraph, video, satellite, intraLATA, international and resale services.*
  - (B) Contribution computations. Contributors' contribution to the TRS fund shall be the product of their subject revenues for the prior calendar year and a*

*contribution factor determined annually by the Commission. The contribution factor shall be based on the ratio between expected TRS Fund expenses to interstate end-user telecommunications revenues. In the event that contributions exceed TRS payments and administrative costs, the contribution factor for the following year will be adjusted by an appropriate amount, taking into consideration projected cost and usage changes. In the event that contributions are inadequate, the fund administrator may request authority from the Commission to borrow funds commercially, with such debt secured by future years' contributions. Each subject carrier must contribute at least \$25 per year. Carriers whose annual contributions total less than \$1,200 must pay the entire contribution at the beginning of the contribution period. Service providers whose contributions total \$1,200 or more may divide their contributions into equal monthly payments. Carriers shall complete and submit, and contributions shall be based on, a "Telecommunications Reporting Worksheet" (as published by the Commission in the Federal Register). The worksheet shall be certified to by an officer of the contributor, and subject to verification by the Commission or the administrator at the discretion of the Commission. Contributors' statements in the worksheet shall be subject to the provisions of section 220 of the Communications Act of 1934, as amended. The fund administrator may bill contributors a separate assessment for reasonable administrative expenses and interest resulting from improper filing or overdue contributions. The Chief of the Consumer & Governmental Affairs Bureau may waive, reduce, modify or eliminate contributor reporting requirements that prove unnecessary and require additional reporting requirements that the Bureau deems necessary to the sound and efficient administration of the TRS Fund.*

*(C) Data collection from TRS Providers. TRS providers shall provide the administrator with true and adequate data necessary to determine TRS fund revenue requirements and payments. TRS providers shall provide the administrator with the following: total TRS minutes of use, total interstate TRS minutes of use, total TRS operating expenses and total TRS investment in general accordance with part 32 of the Communications Act, and other historical or projected information reasonably requested by the administrator for purposes of computing payments and revenue requirements. The administrator and the Commission shall have the authority to examine, verify and audit data received from TRS providers as necessary to assure the accuracy and integrity of fund payments.*

*(D) [Reserved]*

*(E) Payments to TRS providers. TRS Fund payments shall be distributed to TRS providers based on formulas approved or modified by the Commission. The administrator shall file schedules of payment formulas with the Commission. Such formulas shall be designed to compensate TRS providers for reasonable costs of providing interstate TRS, and shall be subject to Commission approval. Such formulas shall be based on total monthly interstate TRS minutes of use. TRS minutes of use for purposes of interstate cost recovery under the TRS Fund are defined as the minutes of use for completed interstate TRS calls placed through the TRS center beginning after call set-up and concluding after the last message call unit. In addition to the data required under paragraph (c)(5)(iii)(C) of this section, all TRS providers, including providers who are not interexchange carriers, local exchange carriers, or certified state relay providers, must submit reports of interstate TRS minutes of use to the administrator in order to receive payments. The administrator shall establish procedures to verify payment claims, and may suspend or delay payments to a TRS provider if the TRS provider fails to provide adequate verification of payment upon reasonable request, or if directed by the Commission to do so. The TRS Fund administrator shall make payments only to eligible TRS providers operating pursuant to the mandatory minimum standards as required in §64.604, and after disbursements to the administrator for reasonable expenses incurred by it in*

*connection with TRS Fund administration. TRS providers receiving payments shall file a form prescribed by the administrator. The administrator shall fashion a form that is consistent with parts 32 and 36 procedures reasonably tailored to meet the needs of TRS providers. The Commission shall have authority to audit providers and have access to all data, including carrier specific data, collected by the fund administrator. The fund administrator shall have authority to audit TRS providers reporting data to the administrator. The formulas should appropriately compensate interstate providers for the provision of VRS, whether intrastate or interstate.*

- (F) TRS providers eligible for receiving payments from the TRS Fund are:*
  - (1) TRS facilities operated under contract with and/or by certified state TRS programs pursuant to §64.605; or*
  - (2) TRS facilities owned by or operated under contract with a common carrier providing interstate services operated pursuant to §64.604; or*
  - (3) Interstate common carriers offering TRS pursuant to §64.604; or*
  - (4) Video Relay Service (VRS) and Internet Protocol (IP) Relay providers certified by the Commission pursuant to §64.605.*
- (G) Any eligible TRS provider as defined in paragraph (c)(5)(iii)(F) of this section shall notify the administrator of its intent to participate in the TRS Fund thirty (30) days prior to submitting reports of TRS interstate minutes of use in order to receive payment settlements for interstate TRS, and failure to file may exclude the TRS provider from eligibility for the year.*
- (H) Administrator reporting, monitoring, and filing requirements. The administrator shall perform all filing and reporting functions required in paragraphs (c)(5)(iii)(A) through (c)(5)(iii)(J) of this section. TRS payment formulas and revenue requirements shall be filed with the Commission on May 1 of each year, to be effective the following July 1. The administrator shall report annually to the Commission an itemization of monthly administrative costs which shall consist of all expenses, receipts, and payments associated with the administration of the TRS Fund. The administrator is required to keep the TRS Fund separate from all other funds administered by the administrator, shall file a cost allocation manual (CAM) and shall provide the Commission full access to all data collected pursuant to the administration of the TRS Fund. The administrator shall account for the financial transactions of the TRS Fund in accordance with generally accepted accounting principles for federal agencies and maintain the accounts of the TRS Fund in accordance with the United States Government Standard General Ledger. When the administrator, or any independent auditor hired by the administrator, conducts audits of providers of services under the TRS program or contributors to the TRS Fund, such audits shall be conducted in accordance with generally accepted government auditing standards. In administering the TRS Fund, the administrator shall also comply with all relevant and applicable federal financial management and reporting statutes. The administrator shall establish a non-paid voluntary advisory committee of persons from the hearing and speech disability community, TRS users (voice and text telephone), interstate service providers, state representatives, and TRS providers, which will meet at reasonable intervals (at least semi-annually) in order to monitor TRS cost recovery matters. Each group shall select its own representative to the committee. The administrator's annual report shall include a discussion of the advisory committee deliberations.*
- (I) Information filed with the administrator. The administrator shall keep all data obtained from contributors and TRS providers confidential and shall not disclose such data in company-specific form unless directed to do so by the Commission. Subject to any restrictions imposed by the Chief of the Consumer & Governmental Affairs Bureau, the TRS Fund administrator may share data obtained from carriers with the administrators of the universal support mechanisms (See 47 CFR 54.701 of this chapter), the North American Numbering Plan administration cost recovery (See 47 CFR 52.16 of*

*this chapter), and the long-term local number portability cost recovery (See 47 CFR 52.32 of this chapter). The TRS Fund administrator shall keep confidential all data obtained from other administrators. The administrator shall not use such data except for purposes of administering the TRS Fund, calculating the regulatory fees of interstate common carriers, and aggregating such fee payments for submission to the Commission. The Commission shall have access to all data reported to the administrator, and authority to audit TRS providers. Contributors may make requests for Commission nondisclosure of company-specific revenue information under §0.459 of this chapter by so indicating on the Telecommunications Reporting Worksheet at the time that the subject data are submitted. The Commission shall make all decisions regarding nondisclosure of company-specific information.*

*(J) The administrator's performance and this plan shall be reviewed by the Commission after two years.*

*(K) All parties providing services or contributions or receiving payments under this section are subject to the enforcement provisions specified in the Communications Act, the Americans with Disabilities Act, and the Commission's rules.*

Verizon complies with the above requirements to the extent that they apply to TRS providers.

**(6) Complaints**

*(i) Referral of complaint. If a complaint to the Commission alleges a violation of this subpart with respect to intrastate TRS within a state and certification of the program of such state under §64.605 is in effect, the Commission shall refer such complaint to such state expeditiously.*

*(ii) Intrastate complaints shall be resolved by the state within 180 days after the complaint is first filed with a state entity, regardless of whether it is filed with the state relay administrator, a state PUC, the relay provider, or with any other state entity.*

*(iii) Jurisdiction of Commission. After referring a complaint to a state entity under paragraph (c)(6)(i) of this section, or if a complaint is filed directly with a state entity, the Commission shall exercise jurisdiction over such complaint only if:*

*(A) Final action under such state program has not been taken within:*

*(1) 180 days after the complaint is filed with such state entity; or*

*(2) A shorter period as prescribed by the regulations of such state; or*

*(B) The Commission determines that such state program is no longer qualified for certification under §64.605.*

*(iv) The Commission shall resolve within 180 days after the complaint is filed with the Commission any interstate TRS complaint alleging a violation of section 225 of the Act or any complaint involving intrastate relay services in states without a certified program. The Commission shall resolve intrastate complaints over which it exercises jurisdiction under paragraph (c)(6)(iii) of this section within 180 days.*

*(v) Complaint procedures. Complaints against TRS providers for alleged violations of this subpart may be either informal or formal.*

*(A) Informal complaints*

*(1) Form. An informal complaint may be transmitted to the Consumer & Governmental Affairs Bureau by any reasonable means, such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate a complainant's hearing or speech disability.*

*(2) Content. An informal complaint shall include the name and address of the complainant; the name and address of the TRS provider against whom the complaint is made; a statement of facts supporting the complainant's allegation that the TRS provided it has violated or is violating section 225 of the Act and/or requirements under the Commission's rules; the specific relief or satisfaction sought by the complainant; and the complainant's preferred format or method of response to the complaint by the Commission*

*and the defendant TRS provider (such as letter, facsimile transmission, telephone (voice/TRS/TTY), Internet e-mail, or some other method that would best accommodate the complainant's hearing or speech disability).*

- (3) Service; designation of agents. The Commission shall promptly forward any complaint meeting the requirements of this subsection to the TRS provider named in the complaint. Such TRS provider shall be called upon to satisfy or answer the complaint within the time specified by the Commission. Every TRS provider shall file with the Commission a statement designating an agent or agents whose principal responsibility will be to receive all complaints, inquiries, orders, decisions, and notices and other pronouncements forwarded by the Commission. Such designation shall include a name or department designation, business address, telephone number (voice and TTY), facsimile number and, if available, internet e-mail address.*

*(B) Review and disposition of informal complaints.*

- (1) Where it appears from the TRS provider's answer, or from other communications with the parties, that an informal complaint has been satisfied, the Commission may, in its discretion, consider the matter closed without response to the complainant or defendant. In all other cases, the Commission shall inform the parties of its review and disposition of a complaint filed under this subpart. Where practicable, this information shall be transmitted to the complainant and defendant in the manner requested by the complainant (e.g., letter, facsimile transmission, telephone (voice/TRS/TTY) or Internet e-mail.*
- (2) A complainant unsatisfied with the defendant's response to the informal complaint and the staff's decision to terminate action on the informal complaint may file a formal complaint with the Commission pursuant to paragraph (c)(6)(v)(C) of this section.*

*(C) Formal complaints. A formal complaint shall be in writing, addressed to the Federal Communications Commission, Enforcement Bureau, Telecommunications Consumer Division, Washington, DC 20554 and shall contain:*

- (1) The name and address of the complainant,*
- (2) The name and address of the defendant against whom the complaint is made,*
- (3) A complete statement of the facts, including supporting data, where available, showing that such defendant did or omitted to do anything in contravention of this subpart, and*
- (4) The relief sought.*

*(D) Amended complaints. An amended complaint setting forth transactions, occurrences or events which have happened since the filing of the original complaint and which relate to the original cause of action may be filed with the Commission.*

*(E) Number of copies. An original and two copies of all pleadings shall be filed.*

*(F) Service.*

- (1) Except where a complaint is referred to a state pursuant to §64.604(c)(6)(i), or where a complaint is filed directly with a state entity, the Commission will serve on the named party a copy of any complaint or amended complaint filed with it, together with a notice of the filing of the complaint. Such notice shall call upon the defendant to satisfy or answer the complaint in writing within the time specified in said notice of complaint.*
- (2) All subsequent pleadings and briefs shall be served by the filing party on all other parties to the proceeding in accordance with the requirements of §1.47 of this chapter. Proof of such service shall also be made in accordance with the requirements of said section.*

*(G) Answers to complaints and amended complaints. Any party upon whom a copy of a complaint or amended complaint is served under this subpart shall serve an answer within the time specified by the Commission in its notice of complaint. The answer shall advise the parties and the Commission fully and*

*completely of the nature of the defense and shall respond specifically to all material allegations of the complaint. In cases involving allegations of harm, the answer shall indicate what action has been taken or is proposed to be taken to stop the occurrence of such harm. Collateral or immaterial issues shall be avoided in answers and every effort should be made to narrow the issues. Matters alleged as affirmative defenses shall be separately stated and numbered. Any defendant failing to file and serve an answer within the time and in the manner prescribed may be deemed in default.*

*(H) Replies to answers or amended answers. Within 10 days after service of an answer or an amended answer, a complainant may file and serve a reply which shall be responsive to matters contained in such answer or amended answer and shall not contain new matter. Failure to reply will not be deemed an admission of any allegation contained in such answer or amended answer.*

*(I) Defective pleadings. Any pleading filed in a complaint proceeding that is not in substantial conformity with the requirements of the applicable rules in this subpart may be dismissed.*

Verizon follows up and resolves each complaint as expeditiously and as thoroughly as possible. Should a complaint be filed with or escalated to the FCC, Verizon understands and will comply with these minimum standards.

*(7) Treatment of TRS customer information. Beginning on July 21, 2000, all future contracts between the TRS administrator and the TRS vendor shall provide for the transfer of TRS customer profile data from the outgoing TRS vendor to the incoming TRS vendor. Such data must be disclosed in usable form at least 60 days prior to the provider's last day of service provision. Such data may not be used for any purpose other than to connect the TRS user with the called parties desired by that TRS user. Such information shall not be sold, distributed, shared or revealed in any other way by the relay center or its employees, unless compelled to do so by lawful order.*

Verizon does not use customer profile data for any purpose other than to connect the caller with requested called parties, and maintains the confidentiality of caller profile data in a secure database. In all previous service transitions, Verizon has provided customer profile database information in usable form to an incoming vendor at least 60 days prior to Verizon's last day of service provision, and agrees to comply with this minimum requirement in all future service transitions.

*[65 FR 38436, June 21, 2000, as amended at 65 FR 54804, Sept. 11, 2000; 67 FR 13229, Mar. 21, 2002; 68 FR 50977, Aug. 25, 2003; 69 FR 5719, Feb. 6, 2004; 69 FR 53351, Sept. 1, 2004; 69 FR 55985, Sept. 17, 2004; 69 FR 57231, Sept. 24, 2004; 70 FR 51658, Aug. 31, 2005; 70 FR 76215, Dec. 23, 2005]*

## §64.605 STATE CERTIFICATION.

### (a) *State documentation*

- (1) *Certified state program. Any state, through its office of the governor or other delegated executive office empowered to provide TRS, desiring to establish a state program under this section shall submit, not later than October 1, 1992, documentation to the Commission addressed to the Federal Communications Commission, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program, Washington, DC 20554, and captioned "TRS State Certification Application." All documentation shall be submitted in narrative form, shall clearly describe the state program for implementing intrastate TRS, and the procedures and remedies for enforcing any requirements imposed by the state program. The Commission shall give public notice of states filing for certification including notification in the Federal Register.*
- (2) *VRS and IP Relay provider. Any entity desiring to provide VRS or IP Relay services, independent from any certified state TRS program or any TRS provider otherwise eligible for compensation from the Interstate TRS Fund, and to receive compensation from the Interstate TRS Fund, shall submit documentation to the Commission addressed to the Federal Communications Commission, Chief, Consumer & Governmental Affairs Bureau, TRS Certification Program, Washington, DC 20554, and captioned "VRS and IP Relay Certification Application." The documentation shall include, in narrative form:*
  - (i) *A description of the forms of TRS to be provided (i.e., VRS and/or IP Relay);*
  - (ii) *A description of how the provider will meet all non-waived mandatory minimum standards applicable to each form of TRS offered;*
  - (iii) *A description of the provider's procedures for ensuring compliance with all applicable TRS rules;*
  - (iv) *A description of the provider's complaint procedures;*
  - (v) *A narrative describing any areas in which the provider's service will differ from the applicable mandatory minimum standards;*
  - (vi) *A narrative establishing that services that differ from the mandatory minimum standards do not violate applicable mandatory minimum standards;*
  - (vii) *Demonstration of status as a common carrier; and*
  - (viii) *A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules.*

### (b) (1) *Requirements for state certification. After review of state documentation, the Commission shall certify, by letter, or order, the state program if the Commission determines that the state certification documentation:*

- (i) *Establishes that the state program meets or exceeds all operational, technical, and functional minimum standards contained in §64.604;*
- (ii) *Establishes that the state program makes available adequate procedures and remedies for enforcing the requirements of the state program, including that it makes available to TRS users informational materials on state and Commission complaint procedures sufficient for users to know the proper procedures for filing complaints; and*
- (iii) *Where a state program exceeds the mandatory minimum standards contained in §64.604, the state establishes that its program in no way conflicts with federal law.*

### (2) *Requirements for VRS and IP Relay Provider FCC Certification. After review of certification documentation, the Commission shall certify, by Public Notice, that the VRS or IP Relay provider is eligible for compensation from the Interstate TRS Fund if the Commission determines that the certification documentation:*

- (i) *Establishes that the provision of VRS and/or IP Relay will meet or exceed all non-waived operational, technical, and functional minimum standards contained in §64.604;*
- (ii) *Establishes that the VRS and/or IP Relay provider makes available adequate procedures and remedies for ensuring compliance with the requirements of this section and the mandatory minimum standards contained in §64.604, including that it makes available for TRS users informational materials on complaint*



*procedures sufficient for users to know the proper procedures for filing complaints; and*

- (iii) Where the TRS service differs from the mandatory minimum standards contained in §64.604, the VRS and/or IP Relay provider establishes that its service does not violate applicable mandatory minimum standards.*
- (c) (1) State certification period. State certification shall remain in effect for five years. One year prior to expiration of certification, a state may apply for renewal of its certification by filing documentation as prescribed by paragraphs (a) and (b) of this section.*
- (2) VRS and IP Relay Provider FCC certification period. Certification granted under this section shall remain in effect for five years. A VRS or IP Relay provider may apply for renewal of its certification by filing documentation with the Commission, at least 90 days prior to expiration of certification, containing the information described in paragraph (a)(2) of this section.*
- (d) Method of funding. Except as provided in §64.604, the Commission shall not refuse to certify a state program based solely on the method such state will implement for funding intrastate TRS, but funding mechanisms, if labeled, shall be labeled in a manner that promote national understanding of TRS and do not offend the public.*
- (e) (1) Suspension or revocation of state certification. The Commission may suspend or revoke such certification if, after notice and opportunity for hearing, the Commission determines that such certification is no longer warranted. In a state whose program has been suspended or revoked, the Commission shall take such steps as may be necessary, consistent with this subpart, to ensure continuity of TRS. The Commission may, on its own motion, require a certified state program to submit documentation demonstrating ongoing compliance with the Commission's minimum standards if, for example, the Commission receives evidence that a state program may not be in compliance with the minimum standards.*
- (2) Suspension or revocation of VRS and IP Relay Provider FCC certification. The Commission may suspend or revoke the certification of a VRS or IP Relay provider if, after notice and opportunity for hearing, the Commission determines that such certification is no longer warranted. The Commission may, on its own motion, require a certified VRS or IP Relay provider to submit documentation demonstrating ongoing compliance with the Commission's minimum standards if, for example, the Commission receives evidence that a certified VRS or IP Relay provider may not be in compliance with the minimum standards.*
- (f) Notification of substantive change.*
  - (1) States must notify the Commission of substantive changes in their TRS programs within 60 days of when they occur, and must certify that the state TRS program continues to meet federal minimum standards after implementing the substantive change.*
  - (2) VRS and IP Relay providers certified under this section must notify the Commission of substantive changes in their TRS programs, services, and features within 60 days of when such changes occur, and must certify that the interstate TRS provider continues to meet federal minimum standards after implementing the substantive change.*
- (g) VRS and IP Relay providers certified under this section shall file with the Commission, on an annual basis, a report providing evidence that they are in compliance with §64.604.*

Verizon complies with the above requirements to the extent that they apply to TRS providers.

**FCC RECERTIFICATION  
APPLICATION  
CALIFORNIA RELAY SERVICE  
Verizon, 2007**

**EXHIBIT 1  
Call Blocking Data**

**FCC RECERTIFICATION  
APPLICATION  
CALIFORNIA RELAY SERVICE  
Verizon, 2007**

**EXHIBIT 2  
Speed of Answer Data**